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FOR PRM/A

E.O. 12958: N/A

TAGS: [PREF](#) [GH](#) [SU](#)

SUBJECT: EMBASSY REFERRAL FOR HASHIM MOHAMED ZAKARIA

1. (SBU) Summary: Embassy Accra hereby refers Hashim Mohamed Zakaria, a citizen of Sudan of Massalit ethnicity, born November 25, 1977, in Dofor Gadida, Darfur, Sudan, for refugee processing. Zakaria has provided convincing evidence to us that he fled Sudan due to well-founded fear of persecution as a result of the ongoing killing campaign carried out by the Janjaweed, based on race and ethnicity. Sudanese government and Janjaweed forces attacked Zakaria's village, killed both his parents, his brother and his uncle. After spending 13 months in Kerenik Internally Displaced Persons' (IDP) Camp, which suffered numerous Janjaweed incursions, Zakaria fled Sudan on May 5, 2005. Failing to receive protection in Chad, Cameroon, Togo and Benin, he arrived in Ghana in October 2005 and registered with UNHCR. The Ghana Refugee Board denied his asylum claim in February 2008 (he was one of 12 Sudanese Darfuri denied). Although he was officially denied for failing to establish a need of international protection, he was told by GRB Secretary Bawumia he was denied because UNHCR lacked the budget to assist him. UNHCR Ghana, an observing member of the GRB, has not taken action to ensure appropriate protection. Given the recent deportations of sixteen Liberian refugees and an Iraqi asylum seeker, Post has determined that resettlement consideration is appropriate and necessary. End summary.

2. (SBU) This Embassy referral is for:

Hashim Mohamed Zakaria, DPOB: 25 NOV 1977, Dofor Gadida, Darfur, Sudan.

#### PERSECUTION -----

3. (SBU) Zakaria was a university student in Khartoum in 2002. In April 2002, his brother notified him that the Janjaweed had killed their parents as they grazed their cattle. He was later dismissed from university, and returned to live in Dofor Gadida.

4. (SBU) At about 6:00a.m. on December 28, 2003, Sudanese government forces and Janjaweed attacked Dofor Gadida, Zakaria's village. Zakaria and his family members scattered and fled. Zakaria walked 2.5 hours to Krenik, the nearest camp for displaced persons. Upon arrival, the family reunited but realized that some members were missing.

5. (SBU) When they heard the attack was over, Zakaria and his family returned to Dofor Gadida. There they found the dead and dismembered bodies of Zakaria's elder brother, Mahmoud, and his uncle, Abu Bakr Zakaria, among others.

6. (SBU) Zakaria and his family buried the bodies and returned to Krenik IDP camp, where they remained for 13 months. Due to repeated Janjaweed attacks on Krenik IDP camp, Zakaria grew more fearful and was convinced that if he stayed, he would be killed. He fled on May 5, 2005.

FLIGHT

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¶17. (SBU) On May 5, 2005 Zakaria crossed the border into Chad. Because Chad was not secure, Zakaria decided not to stay there and spent five days crossing the country before passing into Cameroon at Kousseri. He proceeded directly to Nigeria that same day, intending to stay. However, he learned that there are conflicts between Christians and Muslims there, and decided to leave after 3 days. On May 14, 2005 Zakaria crossed into Benin and went straight across the country to Togo.

¶18. (SBU) In Togo, the authorities arrested Zakaria because he had no travel documents. Despite his explanation that he was fleeing war, they detained him. He was held at a police station in Kpalime for two months and seven days. During this time the authorities launched an investigation into his case, eventually deciding that he was innocent. They returned Zakaria to the border with Benin.

¶19. (SBU) In Azove, Benin, the Benin authorities asked for Zakaria's travel documents, and arrested him when he was unable to produce them. He was detained in Azove for two months and five days, then transferred to Malanville. Zakaria became ill with malaria while in Malanville, and he received no medical care. After 25 days, the Benin officials deemed Zakaria innocent and released him. He made his way south to Cotonou and found a direct bus to Ghana. He crossed through Togo and entered Ghana on Oct. 20, 2005.

#### EXISTENCE IN GHANA

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¶10. (SBU) On October 25, 2005, Zakaria registered with UNHCR (registration number 10061401). UNHCR advised him to apply for refugee status with the Ghana Refugee Board (GRB). Zakaria followed their advice and regularly checked back with UNHCR to see if they had received any word from GRB. On May 15, 2007, UNHCR congratulated Zakaria, telling him that GRB was granting him refugee status and sending him to GRB to pick up his acceptance letter. However, GRB officials told him that the decision had not yet been made and sent him back to UNHCR.

¶11. (SBU) On December 22, 2007, Zakaria met with Louis at GRB, who told him that his refugee status had been granted, but the GRB secretary Abdulai Bawumia was busy due to the Cup of African Nations

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soccer tournament (CAN, hosted by Ghana in January 2008). Louis told Zakaria that his acceptance letter would not be signed until after CAN 2008.

¶12. (SBU) On January 12, 2008, Zakaria returned to GRB. He was told to return on Feb. 28, 2008. When he returned on Feb. 28, GRB officials gave Zakaria a rejection letter. He was confused because they had previously told him verbally that his refugee status had been granted. GRB Secretary Abdulai Bawumia told him that his case was not convincing and that UNHCR had no budget to assist Zakaria, therefore GRB had to turn him down. Zakaria has since appealed the GRB's decision. [Note: The interpreter for our interview, Abdul Kadr, was recommended by UNHCR. He also occasionally works as an interpreter for the GRB, and attended Zakaria's Feb. 28 meeting. He confirmed that Zakaria's account of that meeting is truthful.]

¶13. (SBU) Since arriving in Ghana, Zakaria has been surviving through petty trading, but does not earn enough for lodging. He sleeps on the veranda of a mosque. He speaks a little English, but continues to have communication problems in Ghana.

¶14. (SBU) Zakaria believes he cannot return to Sudan without endangering his life. The war and human rights abuses continue there.

¶15. (SBU) Zakaria has provided convincing evidence to us that he fled Sudan because he had a well-founded fear of persecution as a result of the ongoing killing campaign carried out by the Janjaweed, based on race and ethnicity. Due to his Massalit ethnicity, he would be a target there. In addition, Ghana is not a viable country of asylum for Zakaria, as evidenced by the reasoning of the GRB in turning down his application for refugee status. Resettlement to the U.S. would provide legal protection and appears the most viable

durable solution.

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